

1646



Practitioner's Docket No. MPI00-252P1RM (previously 10448-061001)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Curtis, Rory A. J.
Application No.: 09/875,321 Group No.: 1646
Filed: June 6, 2001 Examiner: Michael D. Pak
For: 52906, 33408, AND 12189, NOVEL POTASSIUM CHANNEL FAMILY
MEMBERS AND USES THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) (2 pages)
- 3.. ☒ Copies of Listed Information Items Accompanying This Statement (11 references)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

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Diana Gentile
Signature

Date: October 30, 2003

Diana Gentile
(type or print name of person certifying)

Practitioner

At which they are aware that they believe of which, there may be a duty to disclose

Ted as a representation that a search information cited is, or is considered to exist.

Ted as an admission against interest

Statement

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

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☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

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Diana Gentile

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Date: October 30, 2003

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Practitioner's Docket No. MPI00-252P1RM (formerly 10448-061001)

- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

OR

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

Practitioner's Docket No. MPI00-252P1RM (formerly 10448-061001)

FEE PAYMENT

3. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

Fee due \$0.00

METHOD OF PAYMENT OF FEE

4. ☐ Attached is a check in the amount of \$ _____.

☐ Charge Account No. 501668 in the amount of \$0.00.

☐ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

October 30, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By



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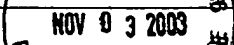
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Substitution for form 1449A/PTO  INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Applicati n Number	09/875,321
				Filing Date	June 6, 2001
				First Named Invent r	Curtis, Rory A. J.
				Group Art Unit	1646
				Examiner Name	Michael D. Pak
				Attorney Docket Number	MPI00-252P1RM
Sheet	1	of	1		

[illegible][illegible]

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/875,321
		Filing Date	June 6, 2001
		First Named Inventor	Curtis, Rory A. J.
		Group Art Unit	1646
		Examiner Name	Michael D. Pak
Sheet 1 of 1	Attorney Docket Number	MPI00-252P1RM	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	C1	Desai, R., et al., "Ca2+-Activated K+ Channels in Human Leukemic Jurkat T Cells", J. Biol. Chem. 275(51):39954-39963 (2000)	
	C2	Xia, X. M., et al., "Mechanism of Calcium Gating in Small-Conductance Calcium-Activated Potassium Channels", Nature (395):503-507 (1998)	
	C3	Desai, R., et al., "Homo Sapiens Apamin-Sensitive Small-Conductance Ca2+-Activated Potassium Channel (KCNN2) mRNA, complete cds." 18 December 2000 (sequence) GenBank [online] Bethesda, MD, USA : National Center for Biotechnology Information [retrieved on August 17, 2002]. Retrieved from the Internet: URL: http://www.ncbi.nlm.gov/ . GenBank Accession No. AF239613.	
	C4	Kohler, M., et al., "Small-Conductance, Calcium-Activated Potassium Channels from Mammalian Brain", Science 273 (5282):1709 [retrieved on October 28, 2003]. Retrieved from the Internet: URL: http://www.sciencemag.org/ .	
	C5	Strausberg, Robert, Ph.D., 17 November 1998 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on October 28, 2003]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. A1271784.	
	C6	Jager, H., et al., "SK2 Encodes the Apamin-Sensitive Ca2+-Activated K+ Channels in the Human Leukemic T Cell Line, Jurkat", FEBS Letter 469 :196-202 (2000).	
	C7	Blast 1.4 Nucleotide Alignment of SEQ ID NO:7463 disclosed in WO 01/75067 (cited as B3) with SEQ ID NO:1 of present application.	
	C8	Blast 1.4 Nucleotide Alignment of SEQ ID NO:15580 disclosed in WO 01/75067 (cited as B3) with SEQ ID NO:1 of present application.	

Examiner Signature	Date Considered
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¹Unique citation design number. ²Applicant is to place a check mark here if English language Translation is attached.

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